

COURT      UNITED STATES DISTRICT COURT  
COUNTY OF      SOUTHERN DISTRICT OF NEW YORK  
JOHN DOUGLAS RICHARDS

MELVYN I. WEISS, ET AL.,

against

Plaintiff(s)

Defendant(s)

Index No. 08 CV 5456

AFFIDAVIT OF  
SERVICE OF SUMMONS  
(AND COMPLAINT)

IN A CIVIL ACTION, CIVIL COVER SHEET

STATE OF NEW YORK, COUNTY OF      NEW YORK

party herein, is over 18 years of age and resides at      ISLIP TERRACE, NEW YORK  
That on      6/23/08      at 4:20 P.M., at 74 COVE ROAD, OYSTER BAY COVE, NEW YORK  
deponent served the within summons, and complaint on      MELVYN I. WEISS  
IN A CIVIL ACTION, CIVIL COVER SHEET

INDIVIDUAL      by delivering a true copy of each to said defendant personally; deponent knew the person so served to be the person described as said defendant therein.

CORPORATION      1.  a corporation, by delivering thereat a true copy of each to personally, deponent knew said corporation so served to be the corporation described in said summons as said defendant and knew said individual to be thereof.

SUITABLE AGE PERSON      2.  by delivering thereat a true copy of each to a person of suitable age

3.  and discretion. Said premises is defendant's—actual place of business—dwelling place—usual place of abode—within the state.

4.  by affixing a true copy of each to the door of said premises, which is defendant's—actual place of business—dwelling place—usual place of abode—within the state. Deponent was unable, with due diligence to find defendant or a person of suitable age and discretion thereat, having called there

ATTEMPTS: 6/18/08 AT 4:15 P.M.

6/20/08 AT 4:25 P.M.

6/20/08 AT 6:20 P.M.

6/21/08 AT 8:20 A.M.

MAILED ON: 6/24/08 AT 10:00A.M.

MAILING TO RESIDENCE  
USE WITH 3 OR 4  
5A.  Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a postpaid envelope properly addressed to defendant at defendant's last known residence, at 74 COVE ROAD, OYSTER BAY COVE, N.Y. 11771 and deposited said envelope in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State.

MAILING TO BUSINESS  
USE WITH 3 OR 4  
5B.  Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a first class post paid envelope properly addressed to defendant at defendant's actual place of business, at

in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State. The envelope bore the legend "Personal and Confidential" and did not indicate on the outside thereof, by return address or otherwise, that the communication was from an attorney or concerned an action against the defendant.

DESCRIPTION  
USE WITH  
1, 2, OR 3  
5C.  Male       White Skin       Black Hair       White Hair       14-20 Yrs.       Under 5'       Under 100 Lbs.  
Female       Black Skin       Brown Hair       Balding       21-35 Yrs.       5'0"-5'3"       100-130 Lbs.  
Yellow Skin       Blonde Hair       Mustache       36-50 Yrs.       5'4"-5'8"       131-160 Lbs.  
Brown Skin       Gray Hair       Beard       51-65 Yrs.       5'9"-6'0"       161-200 Lbs.  
Red Skin       Red Hair       Glasses       Over 65 Yrs.       Over 6'       Over 200 Lbs.

Other identifying features:

USE IN  
NYC CIVIL CT.  

The words "CONSUMER CREDIT TRANSACTION" were prominently displayed at the top of the summons(es) and the additional legend was printed in not less than 12 point bold upper case type on the summons(es) pursuant to 22 NYCRR §208.6(d) and (f).

MILITARY  
SERVICE  
I asked the person spoken to whether recipient was in active military service of the United States or of the State of New York in any capacity whatever and received a negative reply. Recipient was on ~~XXXXXX~~ ~~XXXXXX~~ ~~XXXXXX~~ ~~XXXXXX~~ ~~XXXXXX~~ ~~XXXXXX~~. The source of my information and the grounds of my belief are the conversations and observations above narrated. Upon information and belief I aver that the recipient is not in military service of New York State or of the United States as that term is defined in either the State or in the Federal statutes.Sworn to before me on  
6/24/08

JOHN DICANIO  
Notary Public, State of New York  
No. 01D14977768  
Qualified in Westchester County  
Commission Expirs Feb. 11, 2011

PRINT NAME BENEATH SIGNATURE  
ROBERT GULINELLO

License No. .... 743652